

## TRADEMARK ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:

NEW ASSIGNMENT

NATURE OF CONVEYANCE:

ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

## CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
The Biltrite Corporation		07/06/2004	CORPORATION: DELAWARE

## RECEIVING PARTY DATA

Name:	Burke Industries (Delaware), Inc.
Street Address:	2250 South Tenth Street
City:	San Jose
State/Country:	CALIFORNIA
Postal Code:	95112
Entity Type:	CORPORATION: DELAWARE

## PROPERTY NUMBERS Total: 2

Property Type	Number	Word Mark
Registration Number:	1188755	ENDURA
Registration Number:	1787537	FLECKSIBLES

## CORRESPONDENCE DATA

Fax Number: (916)329-4900

*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*

Phone: 916-447-9200

Email: ipprosecution@orrick.com

Correspondent Name: Stacy E. Don

Address Line 1: 400 Capitol Mall, Suite 3000

Address Line 2: Orrick, Herrington &amp; Sutcliffe LLP

Address Line 4: Sacramento, CALIFORNIA 95814

ATTORNEY DOCKET NUMBER:

13545-1/1640

NAME OF SUBMITTER:

Linda L. Partmann

Total Attachments: 3

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TRADEMARK

REEL: 002895 FRAME: 0823

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## ***ASSIGNMENT OF TRADEMARKS AND APPLICATIONS***

The Biltrite Corporation, a Delaware corporation with its principal place of business at Two University Office Park, 51 Sawyer Road, Suite 430, Waltham, Massachusetts ("Assignor"), has adopted, used, and is using the following marks:

- (i) "Endura" which is identified in the U.S. Patent and Trademark Office under registration no. 1,188,755;
- (ii) "Flecksibles" which is identified in the U.S. Patent and Trademark Office under registration no. 1,787,537;
- (iii) "Endura" which is identified in the Hong Kong Trade Marks Registry under registration no. 11400/97;
- (iv) "Endura" which is identified in the Korean Industrial Property Office under registration no. 345455;
- (v) "Endura", which is identified in the Japan Patent Agency under registration no. 4088520;
- (vi) "Endura", which is identified in the People's Republic of China Trademark Office under registration no. 1300378; and
- (vii) "Endura", which is identified in the Taiwan National Bureau of Standards under registration no. 736429.

In addition, Assignor has adopted, used, and is using the following unregistered marks: SprintStock; SpectraColors; SpectraFlecks; SpectraSolids; SpectraJet; SimplySmooth; One-Step; Endura SRT ; Endura OGR ; Endura FR ; Endura UV ; SofCeramic ; Endura Clean; EnduraBond 700 and Endurabond 700; Endurathane 600; Endura 118; and Endura Insta-Step.

The foregoing trademarks (registered and unregistered) are collectively referred to as the "Trademarks."

Burke Industries (Delaware), Inc., a Delaware corporation ("Assignee"), wishes to acquire each of the Trademarks.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor assigns unto Assignee all of its rights, title and interest in and to the Trademarks, together with the goodwill associated with the Trademarks, and the registrations of the registered Trademarks.

Assignor further assigns to Assignee all right to sue for and receive damages accruing from past infringement of the Trademarks, and the right to oppose an application to register any trademark which may be confusing with one of the Trademarks.

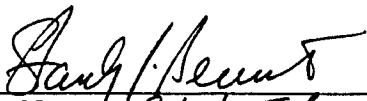
Assignor further undertakes that upon request of Assignee, it will execute all papers, make all rightful oaths, testify on behalf of Assignee, and do all other lawful acts reasonably necessary to carry out the intent of this Assignment, as well as to provide other material, information or assistance as Assignee may consider reasonably necessary to carry out the intent of this Assignment.

This Assignment is binding upon the parties, their respective successors and assigns, and all others acting by, through, with or under their direction, and all those in privity therewith.

IN WITNESS WHEREOF, the parties have caused this Assignment to be executed by their duly authorized representatives as of the 6<sup>th</sup> day of July, 2004.

THE BILTRITE CORPORATION

BURKE INDUSTRIES (DELAWARE), INC.

By:   
Name: Stanley J. Bernsken  
Its: Chairman + CEO  
thereunto duly authorized

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_  
thereunto duly authorized

This Assignment is binding upon the parties, their respective successors and assigns, and all others acting by, through, with or under their direction, and all those in privity therewith.

IN WITNESS WHEREOF, the parties have caused this Assignment to be executed by their duly authorized representatives as of the 6<sup>th</sup> day of July, 2004.

THE BILTRITE CORPORATION

BURKE INDUSTRIES (DELAWARE), INC.

By: \_\_\_\_\_

Name:

Its:

thereunto duly authorized

By: \_\_\_\_\_

Name:

Its:

ROBERT PITMAN  
CHIEF EXECUTIVE OFFICER  
thereunto duly authorized